IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER In re application of: Kent W. Carey § Group Art Unit: 2633 Ş JAN 17 2006 Serial No.: 09/961,119 ş Examiner: Payne, David C. § Filed: September 20, 2001 Attorney Docket No.: 10004333-1 For: Methods of Optical Certificate of Transmission Under 37 C.F.R. § 1.8(a) Communication and Optical I hereby certify this correspondence is being transmitted via **Communication Systems** facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile-number (571) 273-8300 on January 17, 2006. By: Louise Fay

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Respectfully submitted,

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JAN 17 2006

To: Commissioner for Patents for Examiner David C. Payne Group Art Unit 2638	Facsimile No. 571/273-8300
From: Louise Fay Paralegal to Duke W. Yee	No. of Pages Including Cover Sheet: 3

Enclosed herewith:

- Transmittal document; and
- Notice of Appeal.

Re: Application Serial No. 09/961,119 Attorney Docket No. 10004333-1

Date: Tuesday, January 17, 2006.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

In re application of: Kent W. Carey

Serial No.: 09/961,119

Filed: September 20, 2001

For: Methods of Optical Communication and Optical Communication Systems

Group Art Unit: 2633 CENTRAL FAX CENTER

Examiner: Payne, David C.

JAN 17 2006

Attorney Docket No.: 10004333-1

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

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on January 17, 2006.

Louise F

NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated November 14, 2005 finally rejecting claims 1-5,7-9,11-14,16-23,25-28 and 30-36.

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Respectfully submitted.

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> Page 1 of 1 Kent W. Carey - 09/961,119